First Member of Council.—

I do not think the Government can re-open a matter which took place about 42 years ago.

Mr. K. M. Nagiah.—

Will the Government reconsider the matter in view of the fact that a large income will accrue if the tank-bed, which has now been hypothecated, is resumed and the tank restored?

First Member of Council.—

The Chief Engineer is of opinion that there is no use repairing that tank.

Mr. D. S. Mallappa.—

When was the Chief Engineer's opinion received ?

First Member of Council.—

In the year 1911.

Mr. D. S. Mallappa.—

Why not the opinion of the present Chief Engineer be taken?

First Member of Council.—

The tank-bed was given away permanently in 1913 and Government cannot do anything in the matter at this distance of time.

GOVERNMENT BUSINESS.

Bill further to Amend the Mysore Village Panchayet Regulation.

THE FIRST MEMBER OF COUNCIL explained the general principles of the Bill as follows:—

General Principles of the Bill further to amend the Mysore Village Panchayet Regulation.

In order to provide for the growing needs of the Village Panchayets and to provide more adequately for their proper supervision and control, an amendment of the Village

Panchayet Regulation has been considered necessary. The main provisions proposed to be introduced are the following:—

(1) Exclusion of certain villages in the Kolar Gold Fields Sanitary Board area from the operation of the Regulation.

(2) Empowering Panchayets to raise loans.

(3) Appointment of the Revenue Commissioner as the chief controlling authority for Panchayets.

(4) Delegation of powers of Government to the Revenue Commissioner.

(5) Empowering Revenue Commissioner to decide disputes between Panchayets in different districts and to hear appeals from the orders of the Deputy Commissioners.

(6) Recovery of money, accounts, records or property appertaining to Panchayets.

2. The necessity for the amendment has been explained in the following paragraphs:—

I. Exclusion of certain Villages in the Kolar Gold Fields Sanitary Board area from the operation of the Regulation.

3. There are some difficulties in constituting Village Panchayets in the Kolar Gold Fields area. This area comprises a number of villages to all of which both the Village Panchayet Regulation and the Notification under Regulation IV of 1906 laying down rules for the special sanitation of that area, apply. Even the urban areas are nothing more than a collection of villages. Strictly according to the law, Village Panchayets have to be constituted for these areas also. But such a step would be impracticable. The existing distinction between areas directly administered by the Board and areas administered by Panchayets under the general control of the Board is both useful and necessary. This involves the amendment of Sub-Section (2) of Section 1 and Clause (10) of Section 3 of the Regulation.

II. Empowering Panchayets to raise Loans.

4. At present every Panchayet has power to raise taxes for defraying the various items of expenditure. The income of some of the Panchayets is very small on account of which they are not able to undertake any important works and the building up of funds for these purposes will take a very

long time. It is observed that there is accumulation of savings of Panchayets taken as a whole, a portion of which may well be utilised for issuing loans to such of the Panchayets as require funds, the loans being recouped in instalments spread over a number of years out of their ordinary income. The raising of loans by Panchayets or the creation of fresh charges on their revenue is not covered by the Regulation. Hence the amendment of Sub-Section (1) of Section 35 and the addition of a new Section 40A are necessary.

III. Appointment of Revenue Commissioner as Chief Controlling Authority.

5. Under Section 43 of the Village Panchayet Regulation, the Deputy Commissioners have been appointed as the chief controlling authorities in all matters relating to the administration of Panchayets. Government have, however, considered it expedient that the Revenue Commissioner should be closely associated with the development of Panchayet work in order to ensure co-ordination and progress on uniform lines. In Government Order No. L. 5091-5144 —L.B. 26-26-134, dated 31st January 1927, it was accordingly directed that communications from the Deputy Commissioners to Government in all important matters relating to Panchayets should pass through the Revenue Commissioner, in order that the Government might have the benefit of the considered views of an officer who is in touch with Panchayet administration in the whole State. The arrangement has worked well and Government consider it desirable to regularise it by appointing the Revenue Commissioner as the chief controlling authority in order that he may guide the Deputy Commissioners in all matters relating to the administration of Panchayets.

IV. Delegation of Government Powers to Revenue Commissioner.

6. It is also proposed to delegate to the Revenue Commissioner the powers reserved to Government by the Regulation to such extent as may be found necessary from time to time except the following:—

(*a*) Power to make rules (Section 65),

(*b*) Power to sanction levy of optional taxes (Section 37), and

(*c*) Power to confer on the holders of alienated

villages all or any of the powers of Amildars under the Regulation (Section 45).

V. Empowering Revenue Commissioner to hear Disputes between Panchayets in different Districts and hear Appeals.

7. It is also proposed to empower the Revenue Commissioner to decide disputes between Panchayets in different districts and to hear appeals from the orders of the Deputy Commissioners in the following cases:—

(*a*) Removal of Chairmen under Section 15,

(*b*) Requisitions for increasing the income of Panchayets under Section 38,

(*c*) Requisition to perform duties under Section 47, and

(*d*) Supersession of Panchayets under Section 54.

Power is however, reserved to the Government to call for records and reverse or modify the Revenue Commissioner's orders passed in appeal.

VI. Recovery of Moneys, Accounts, Records or Property appertaining to Panchayets.

8. The Mysore Village Panchayet Regulation does not contain provision for the recovery of moneys, accounts, records or other property appertaining to Panchayets from Panchayetdars or Chairmen who do not pay up the moneys or deliver up the papers or other property when occasion might require them to do so. The necessity for such a provision has been brought to the notice of Government. This necessitates an amendment to the Village Panchayet Regulation on the lines of Sections 24 and 25 of the Land Revenue Code and Section 176 of the Indian Penal Code.

9. The general principles of the Bill together with the Bill are placed before the House for an expression of their views.

Bill further to Amend the Mysore Village Panchayet Regulation.

Whereas it is expedient further to amend the Mysore Village Panchayet Regulation, 1926; It is hereby enacted as follows:—

1. To Sub-Section (2) of Section 1, the following proviso shall be added:—

" Provided that the Government may, by notification

in the Official Gazette, exclude from the operation of this Regulation any village forming part of a local area under the administration of a Sanitary Board constituted under the provisions of the Mysore Mines Regulation, 1906."

2. In Section 3, for Clause (10) the following clause shall be substituted:—

"(10) Village means a local area recognised by Government as a village for purposes of collecting the land revenue and includes a *dakle* village and an alienated village, but does not include a local area which is constituted as a municipality or a village which is, under the proviso to Sub-Section (2) of Section 1, excluded from the operation of this Regulation."

3. In Section 15, Sub-Section (2) of Section 38, Section 47 and Sub-Section (4) of Section 54, for the word "Government" the words "Revenue Commissioner" shall be substituted.

4. In Sub-section (1) of Section 35, the words "and loans raised by the Panchayet" shall be inserted between the word "Government" when it occurs for the second time and the words "shall be paid."

5. The following section shall be inserted after Section 40:—

"40A. Subject to such rules as may be prescribed, a Village Panchayet may raise loans for carrying out works of permanent utility within the area under its control. The amounts so borrowed shall be a first charge upon its revenues."

6. For Section 43, the following section shall be substituted:—

"43 (1) The Revenue Commissioner shall be the chief controlling authority in respect of all matters relating to the administration of Panchayets.

(2) The Government may, by notification in the Official Gazette, delegate to the Revenue Commissioner all or any of their powers under this Regulation except the power to make rules and the powers vested in them under Sections 37 and 45."

7. For Sub-Section (2) of Section 55, the following sub-section shall be substituted:—

"(2) Appeals to the Revenue Commissioner when expressly allowed under this Regulation shall be preferred within ninety days of the date of publication or communication of the order of the Deputy Commissioner."

8. For Sub-Section (3) of Section 56, the following sub-section shall be substituted:—

"(3) If a dispute arises between two or more Panchayets in different districts, the matter shall be referred to the Revenue Commissioner for decision."

9. In Chapter V, after Section 58, the following section shall be added :—

"58A. (1) When any matter has been decided by the Revenue Commissioner on appeal under Section 15, Sub-Section (2) of Section 38, Section 47 or Sub-Section (4) of Section 54, or on reference under Sub-Section (3) of Section 56, the Government may, for the purpose of satisfying themselves as to the correctness, legality or propriety of his order, call for the connected records and may in doing so direct that, pending the examination of the records, such order be held in abeyance.

(2) On examining the records, the Government may reverse or modify the order of the Revenue Commissioner, as they deem fit."

10. After Section 61, the following new section shall be inserted:—

"61A. (1) Every person in possession of moneys, accounts, records or other property appertaining to a Village Panchayet shall, on the requisition in writing of the Amildar, forthwith hand over such moneys or deliver up such accounts, records or other property to the Chairman of the Panchayet or other person authorised in the requisition to receive the same.

(2) If any such person fails, without sufficient cause, to comply with the requisition made as aforesaid, the Deputy Commissioner of the district may cause him to be apprehended and may issue a warrant in the form of Schedule A, authorising his confinement in the Civil Jail till he discharges the moneys or delivers up the accounts, records or other property demanded from him.

Provided that no person shall be detained in confinement by virtue of such warrant for a period longer than one calendar month.

(3) The Deputy Commissioner of the district may also take proceedings to recover any money due by such person in the same manner and subject to the same rules as are laid down in the Mysore Land Revenue Code, 1888, for the recovery of arrears of land revenue from defaulters; and for the purpose of recovering the accounts, records or other property appertaining to the Village Panchayet, may issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a Magistrate

under the provisions of Chapter VII of the Code of Criminal Procedure, 1904.

(4) Every person knowing where any moneys, accounts, records or other property appertaining to a Village Panchayet are concealed, shall be bound to give information of the same to the Amildar."

SCHEDULE A.

FORM OF WARRANT TO BE ISSUED BY THE DEPUTY COMMISSIONER UNDER SECTION 61A. (Seal.)

To the Officer in charge, the Civil Jail, at.....

WHEREAS A. B. of.....was on the .....day of..... .....193 , ordered by .....to (here enter substance of the demand made) and whereas the said A. B. has neglected to comply with the said order and it has therefore been directed under the provisions of Sub-Section (2) of Section 16A of the Regulation, that he be imprisoned in the Civil Jail until he obey the said order or until he obtain his discharge under the provisions of the proviso to the said sub-section; you are hereby required to receive the said A. B. into the Jail under your charge and to carry the aforesaid order into execution according to law.

Signature.

Dated.....day of.....193 .

Referring to the provision empowering the Panchayets to raise loans, MR. S. C. MALLIAH feared that it must have been done apparently under a wrong impression on the part of the Government with reference to the financial position of Village Panchayets. The fact was that the Panchayets had only a few sources of revenue, and generally speaking, there was no question of Panchayets having excess money. He would agree to the proposal if Government were prepared to say that the funds of one Panchayet would not be utilised for the grant of loans to another Panchayet.

THE DEWAN replied that there was no such intention.

MR. S. C. MALLIAH apprehended that even though that might not be the intention of Government at present, a provision like that might be made in future under the rule-making power of the Government.

THE DEWAN replied that there was no need for any such fear.

MR. S. C. MALLIAH suggested that it must be made clear that Panchayets should not give loans to one another even if they could afford.

THE FIRST MEMBER OF COUNCIL replied that the Panchayets had no power to borrow or lend in that manner.

MR. S. C. MALLIAH explained that his fears were based on the statement made by the Revenue Commissioner on a a previous occasion, that lakhs of rupees belonging to the Panchayet Fund account were lying unused. He hoped that this would not be made use of by Government for giving loans.

Referring to the delegation of powers of Government to the Revenue Commissioner, he said that it was necessary that final appellate powers should vest in Government instead of only revisionary powers which may or may not be exercised.

MR. D. S. MALLAPPA referred to the provision relating to the exclusion of the villages coming under the Sanitary Board area from the operation of the Village Panchayet Regulation and said that he had reason to believe that these villages were not agreeable to the proposal. They feared that if they were included in a big area like that, their moneys would go towards improvement works in urban areas, the villages themselves being left severely alone. He therefore thought that the change suggested in the draft bill should not be given effect to. He was strongly of opinion that the wishes of the local people should be respected.

In regard to the power proposed to be given to Panchayets to raise loans, he said that while the Panchayets wanted more grants from Government, it looked as though the Government made this proposal with a view to escape their own share of responsibility and shove it on the Panchayets themselves by giving them power to raise loans for meeting their own requirements. Except for this lurking suspicion, he had no objection to the power being granted.

With regard to constituting the Revenue Commissioner as the chief controlling authority, he agreed with Mr. S. C. Malliah that the Government should retain the power to hear appeals against the Revenue Commissioner's decisions. He did not think retention of mere revisionary powers would be advantageous to the people.

THE FIRST MEMBER OF COUNCIL said that according to the Bill the Revenue Commissioner would be the final appellate authority. At present the Revenue Commissioner had no appellate powers at all, and it was proposed to retain revisionary powers to Government.

MR. BELUR SRINIVASIENGAR agreed with Mr. D. S. Mallappa that appeals against the Revenue Commissioner's decisions must be provided for.

THE FIRST MEMBER OF COUNCIL did not think it

necessary as the Panchayet would have the additional remedy of going up to Government in revision.

MR. D. S. MALLAPPA said that under Section 15 the Deputy Commissioner was the chief controlling authority and could remove a Chairman or Panchayetdar for misconduct, etc. But under the proposed amendment the Revenue Commissioner would not only become the chief controlling authority but also be invested with the power of hearing appeals He urged that these two-fold powers should not be vested in one and the same authority. He therefore suggested that there should be a final appeal to Government against the Revenue Commissioner's decisions.

THE FIRST MEMBER OF COUNCIL said that under the existing provision, the authority for the removal of a Chairman or Panchayetdar vested in the Deputy Commissioner and that this power would continue even after the amendment. The only change proposed was that an appeal to the Revenue Commissioner was also provided for. Even under the Land Revenue Code, the Revenue Commissioner was the final appellate authority on questions of fact. But if there were any points of law involved, an appeal to Government was provided for. In the present case he thought that it was sufficient if the power of revision was reserved to Government.

MR. D. S. MALLAPPA said that there was a great difference between the provisions of the Land Revenue Code and those of the Panchayet Regulation. In the latter case the reputation of a man was involved and an appeal to Government even on questions of fact should be provided for.

MR. T. MARIAPPA also said that there was greater security in appeals rather than in revisionary powers which would be exercised only at the discretion of Government. He thought that even if both powers were vested in the Revenue Commissioner, at least a final appeal to Government should be provided for.

MESSRS. G. CHENNAPPA and B. S. PUTTASWAMY agreed in the above view.

THE DEWAN replied that if it was necessary an appeal might be provided for on points of law as in the Land Revenue Code. But he thought that the question might be considered by the select committee.

As regards the provision relating to the recovery of money, accounts, etc., MR. V. V. IYER pointed out that Clause 10 would work as a great hardship unless sufficient time was allowed to the Panchayetdars in question to produce the same.

THE FIRST MEMBER OF COUNCIL drew the attention of the member to the expression "without sufficient cause" occurring in Sub-Clause (ii) of the clause referred to.

MR. D. S. MALLAPPA thought that ordinarily the Deputy Commissioner accepted the statement of the Amildar in regard to such matters without further enquiry. As a matter of fact, no chairman kept more than Rs. 20 in personal custody and if, for not producing such a small amount, he was to be summarily dealt with on the one-sided report of a local officer, it would be a very great hardship.

MR. K. CHENGALRAYA REDDY observed that there were many controversial points involved in the Bill under discussion. With reference to the villages included in the Sanitary Board area, he said that that Board was meant for maintaining sanitation and health of the areas included within its jurisdiction. But the Panchayet Regulation went farther than that. He thought that, if these villages were to be denied the advantages of the Panchayet Regulation, there would be very great inconvenience to the villages.

THE FIRST MEMBER OF COUNCIL replied that in regard to sanitation it was common knowledge that Village Panchayets did not discharge all their duties.

MR. K. CHENGALRAYA REDDY pointed out that the Sanitary Board consisted mostly of Europeans whose interests were not quite identical with those of the villages. He therefore thought that the interests of the villages should be properly safeguarded by applying the Village Panchayet Regulation to them. He thought that there should be a certain amount of decentralisation so that village works might be carried out regularly. He was of opinion that under the constitution and working of the Board, only recommendations acceptable to the mining authorities would be sanctioned, and if there were any other recommendations, they would invariably be shelved. At present these villagers had only the obligation of paying but not the privilege of representation. He suggested that the Sanitary Board might be given jurisdiction only over the mining area, allowing Robertsonpet, Andersonpet and other places to manage their own affairs.

THE FIRST MEMBER OF COUNCIL replied that provision relating to execution of village works in the villages affected could well be made in the rules under the Mining Regulation so as to give liberty of action to the villages.

MR. T. MARIAPPA doubted whether any such rules could be made under that Regulation, especially as the

villages were proposed to be excluded from the operation of the Village Panchayet Regulation.

THE FIRST MEMBER OF COUNCIL stated that it was quite possible to do it.

MR. K. CHENGALRAYA REDDI thought that when the people living in urban areas which came under the jurisdiction of the Sanitary Board could not themselves have any voice in the management of the affairs of the Board, it was doubtful whether the villages could have any such voice.

MR. VEMA REDDY did not see any reason why these villages should be excluded from the operation of the Village Panchayet Regulation.

THE FIRST MEMBER OF COUNCIL explained that those villages were already included in the Sanitary Board area; but that it was not clear whether the Village Panchayet Regulation could be applied to them. The object of the present amendment was to make the point explicit.

MR. VEMA REDDY then stated that the villages required schools, wells and other civic amenities which the Sanitary Board could not provide at present although they levied from the people various kinds of cesses. This he said was a great handicap to the villagers. He, therefore, thought that those villages should be brought under the Village Panchayet Regulation so that they might have their own Panchayets.

THE FIRST MEMBER OF COUNCIL said that necessary provision might be made in the rules to be framed under the Mining Regulation under which the Sanitary Board was constituted.

MR. VEMA REDDY feared that the proposed rules might contemplate the levy of additional taxation from the villagers. If this could be avoided, he had no objection to the existing state of things continuing.

MR. MAHOMED IMAM thought that the wishes of the local people in such matters should be respected and that while the Village Panchayet Regulation was in operation throughout the State, there was no reason why certain villages under the Sanitary Board area alone should be excluded from the purview of that Regulation, subjecting them to various hardships in regard to payment of taxes without adequate return in the shape of civic amenities.

THE FIRST MEMBER OF COUNCIL said that the Sanitary Board had certain powers of taxation for meeting the expenditure connected with the improvement of sanitation within their area. Government would make rules so as to

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enable the Board to attend to the requirements of the villagers in other directions also. He added that at present there was a certain amount of doubt as to whether these villages could be brought under the Village Panchayet Regulation, and that in order to remove that doubt, the present amendment became necessary.

MR. MAHOMED IMAM said that, what was required to be made clear was that these villages did not come under the Sanitary Board area, but that they came under the Village Panchayet Regulation.

THE FIRST MEMBER OF COUNCIL said that that could not be done as they were already included in the Sanitary Board area and were subject to the rules governing the maintenance of sanitation and health in that area. It was found from experience that the villagers could not maintain the sanitation of their places in an efficient condition, and in an area where a large mining population was working, it was incumbent to see that the sanitation of all the surrounding places was attended to properly. In these circumstances, the Board should have complete control of sanitation over the entire area.

MR. MAHOMED IMAM thought that under the arrangement proposed in the amendment, the villagers could not have the right of determining their own taxes unlike the other villages.

In regard to the power of raising loans proposed to be granted to the Panchayets, he feared that the Panchayets had no assured income and if they were invested with the power of raising loans, all their income would go towards the payment of interest without any improvement work being carried on.

THE FIRST MEMBER OF COUNCIL said that there need be no fear in regard to that matter as no Panchayet would dare to go in for a loan unless it had the capacity to pay interest thereon. He also assured the member that Government could be trusted to consider all things before sanctioning a loan to them.

MR. B. S. PUTTASWAMY failed to know what exactly were the difficulties in regard to the villages now included under the Sanitary Board area.

THE DEWAN replied that the difficulty was in applying the Village Panchayet Regulation to an area already included in the jurisdiction of the Sanitary Board which is constituted under a different Regulation.

MR. PUTTASWAMY thought that under such a [illegible] shorter em

the inconvenience would be more to the villages than to the Sanitary Board. It might be argued that the villagers also might be represented on the Board. This, he thought, by itself would be impossible as the number of villages to be represented was very large. He also thought that the Sanitary Board could not enforce weekly labour and several other things which the Village Panchayet could easily enforce under the Village Panchayet Regulation.

THE DEWAN replied that necessary rules would be framed as to how the villages could get all the facilities that they wanted while remaining under the Sanitary Board.

MR. PUTTASWAMY thought that those rules should first of all be framed and placed before the Assembly together with the Bill now brought up. He also thought that the present amendment was brought more in the interests of the sanitation of the Kolar Gold Fields than in the interests of the villages themselves. The sanitation of the mining area could be better attended to by the mining authorities who were more wealthy, and there was no reason why such additional help should be rendered to them at the expense of the villagers.

MR. H. C. DASAPPA pointed out that if the villages had already been included under the Sanitary Board, then there was no object in bringing forward the present amendment, because they formed part and parcel of the Sanitary Board area. If the local people wanted their villages to be removed from the control of the Sanitary Board then it was time for Government to consult if necessary the opinion of the Assembly. On this point there was no information given by Government. In any case, he thought that if the villages had been included in the Sanitary Board area under a notification duly published in the Gazette, there was absolutely no reason for the proposed amendment.

THE DEWAN replied that those villages were at present included in the Sanitary Board area; and that the Village Panchayet Regulation might also be considered as applying to them. It was to remove this doubt that the present amendment was brought up.

THE SECOND MEMBER OF COUNCIL further explained that in the Village Panchayet Regulation it had been specifically stated that areas included in a Municipality should be excluded from the operation of that Regulation but there was no similar clause in the Mining Regulation or rules under it. Hence there appeared to be a conflict. A village included in a Municipality could not be brought under the

Village Panchayet Regulation; whereas the area included in the Sanitary Board comprised certain villages and hence it has to be presumed that the Panchayet Regulation applied to such villages. It was then the duty of the Deputy Commissioner to constitute Village Panchayets for those villages.

MR. H. C. DASAPPA then opposed the principle of empowering the Village Panchayets to raise loans. He was of opinion that at least for some years to come, this power should not be granted to the Village Panchayets. In this connection he referred to the Dewan's Address in the course of which it had been stated that loans should be taken only for effecting improvements of public utility. In the present condition of the villages, he was of opinion, that no such industrial undertakings could be taken by the villagers. It was difficult for them now to satisfy their every day needs themselves. If only they were granted the power of raising loans, he feared that the very object of the Village Panchayet Regulation would be frustrated. The main object of the Regulation was to provide for self-help on the part of the people. The moment facilities were created to the Village Panchayets for raising loans, all their enterprising spirit would disappear. He thought that the object of Government would be better fulfilled if their resources were improved by definite grants from public funds. He also thought that it was difficult for the Panchayets to administer the loans and to keep proper accounts.

He also referred to a third point in regard to the power of the Deputy Commissioner to send a chairman to civil jail for failure to hand over moneys, papers, and records on the statement of the Amildar. He was of opinion that this power should not be exercised until due notice was given to the chairman concerned and it was served upon his person. He also said that there should be a summary inquiry before such a drastic action was taken.

THE FIRST MEMBER OF COUNCIL said that due provision for all these would be made in the rules.

MR. BELUR SRINIVASIENGAR, referring to the Dewan's statement that necessary rules would be framed to obviate the difficulties complained of and placed before the Select Committee for consideration, said that the proper way was to solve those difficulties first before obtaining the consent of the Representative Assembly. The object of the Village Panchayet Regulation was that the local people should be allowed to manage their own affairs. The Sanitary Board

was constituted primarily to help the mining authorities and it was with that object in view that the major part of the representatives on the Board came from the mines with the addition of a few Government officers. If there was, on the other hand, a promise that these villages also would be duly represented on the Board, it would be something; but he was not sure that this could be done, and that even if it could be done, the necessary help might not be forthcoming to the villagers. In these circumstances he agreed with the objections of Messrs. D. S. Mallappa and K. Chengalraya Reddy. He also thought that there was no enabling section in the Mining Regulation under which the proposed rules could be framed. His reason was that the Mining Regulation was primarily meant for the purposes mentioned in the preamble and that preamble did not refer to the facilities to be given to the villagers. Hence he thought that the Village Panchayet Regulation should be made applicable to the villages now in question.

He also invited the attention of the Dewan to the form of the warrant printed as Schedule A. to the Bill. This warrant did not give the substance of the demand referred to therein. He thought that it was therefore faulty besides being somewhat objectionable in tone.

THE FIRST MEMBER OF COUNCIL said that the form was copied bodily from the Land Revenue Code.

MR. BELUR SRINIVASIENGAR'S point was that the condition precedent to the Amildar's demand for records, etc., was not mentioned. The schedule gave only the form of warrant but not the form of notice to be issued to the chairman. He thought that Government attached more importance to the warrant than to the notice. He was of the opinion that when the Village Panchayet Chairman was considered as a public servant and he did not hand over certain moneys or papers, he could be proceeded against under the ordinary laws and there was no necessity for a separate provision in the present Bill. He again said that for four years since the Village Panchayet Regulation was passed, there was no occasion for the exercise of such exemplary powers and he failed to understand why it became necessary now.

CAPT. Y. V. AYYA also agreed with the previous speakers. In regard to the first point, he thought that there could be no co-operation between the European and Indian representatives on the Board for obvious reasons. He therefore thought that the mining authorities should not have

any controlling voice over the villages in question. It was just possible, in his opinion, that the Sanitary Board would not care for the necessary amenities of the villagers.

MR. H. B. GUNDAPPA opposed the provision regarding the penal action against the chairmen who failed to hand over moneys, etc. These chairmen worked honorarily and it was difficult to get such honorary workers. It was possible for some people to commit mistakes and for such mistakes they should not, in his opinion, be dealt with in the way proposed. If this were done, he thought that it would be impossible to get honorary workers at all.

MR. G. MALLANNA was of the same opinion.

At this stage the main principles of the Bill were put to vote, one by one, with the results shown against each:—

CLAUSE OF THE BILL.	RESULT.
1. Exclusion of certain villages in the Kolar Gold Fields Sanitary Board area from the operation of the Regulation.	Not accepted.
2. Empowering Panchayets to raise loans.	The House was not in favour of the proposal.
3. Appointment of the Revenue Commissioner as the chief controlling authority for Panchayets.	Accepted subject to retention of powers of appeal to Government.
4. Delegation of the powers of Government to the Revenue Commissioner.	
5. Empowering Revenue Commissioner to decide disputes between Panchayets in different districts and to hear appeals from the order of the Deputy Commissioners.	
6. Recovery of money, accounts, records or property appertaining to Panchayets.	A large majority against.

II. Bill to Amend the Law relating to the Protection of Copyright.

THE LAW SECRETARY TO GOVERNMENT explained the general principles of the Bill as follows:—

General Principles of the Bill to Amend the Law relating to the Protection of Copyright.

The Indian Copyright Act, XX of 1847, which was extended to Mysore in the year 1867, embodies the law governing the protection of copyright in the State. But it is now out of date and has long since been superseded in

British India by an enactment designed to meet modern requirements. This later enactment, *viz.*, the Indian Copyright Act, III of 1914, has been brought into force also in the C. and M. Station, Bangalore. It is an adaptation of the British Copyright Act passed in the year 1911 for the effective protection of copyright by means of reciprocal arrangements between the different countries which were parties to the International Convention of 1908. The Bill has been framed with the object of securing similar protection to the owners of copyright in Mysore by amending the existing law on the lines of the British Copyright Act of 1911 as applied to British India.

The following are the main changes in the present law proposed in the Bill:—

(1) The formality of registration which is now necessary for the accrual and enforcement of copyright will be dispensed with.

(2) The protection of copyright will extend to all original, literary, dramatic, musical and artistic works (including cinematograph productions, paintings, drawings, works of sculpture, architectural works, etc.,) whether published or unpublished, provided that in the latter case the author was at the date of the making of the work a subject of Mysore or resident within Mysore. Under Act XX of 1847 copyright is confined only to books, encyclopædias, reviews, magazines and other periodical works and accrues only when they are published.

(3) The right to produce or publish a translation of any such work and to convert a novel or other non-dramatic work into a dramatic work and *vice versa* will also be included within the scope of copyright.

(4) The term of copyright is now as follows:—

(*a*) If a work is published in the life time of its author, the natural life of the author and 7 years after his death, subject to a minimum of 42 years.

(*b*) If a book is published after the death of its author, 42 years from the first publication of the book.

(*c*) In the case of essays, articles or portions forming part of and first published in reviews, magazines or other periodical works and paid for, the copyright of "the proprietor, projector, publisher or conductor" concerned endures for 28 years from the date of first publication and the right of publishing the same in a separate form thereafter reverts to the author for the remainder of the term of 42 years.

The Bill extends the term of copyright in general to the

life of the author and fifty years after his death with a provision (corresponding to Section 2 of the present Act, but with this difference that instead of the Government, the High Court will have the power to pass orders on complaints made in this behalf) for republication at any time after the death of the author, if the owner of the copyright refuses to republish or to allow the republication of the work and thereby withholds it from the public. The Bill also limits the duration of copyright in the case of an assignee to 25 years from the death of the author and provides for the reversionary interest in the copyright expectant thereafter devolving on the legal representatives of the author as part of his estate.

The term of copyright, in so far as it is a right to produce or publish a translation, will be limited to ten years from the date of first publication of the original work in Mysore.

(5) Provision is made in the Bill for securing by means of reciprocal arrangements protection in other countries for copyright subsisting in Mysore.

(6) Copyright acquired under Act XX of 1847, which will be repealed, will be protected.

(7) The Civil remedies for infringement of copyright are now very limited, provision being made in Act XX of 1847 only for (*a*) a suit for damages and (*b*) a suit to recover the unlawfully printed copies or damages for the detention thereof. The Bill makes available to the aggrieved party all the remedies open under the general law for the infringement of any civil right, including the right to an injunction and the right to an account, according to the circumstances of each case.

(8) The provisions of the Act of 1847 as to Criminal Proceedings in cases of infringement of copyright are obscure. This obscurity will be removed by defining the offences against copyright with precision and providing the penalties for such offences. Prosecutions would not also be subject to any period of limitation as they are under the present Act.

Thereupon the general principles of the measure were accepted by the Assembly unanimously.

III. Bill further to Amend the Tank Panchayet Regulation of 1911.

THE SECRETARY TO GOVERNMENT, DEVELOPMENT DEPARTMENTS, explained the general principles of the Bill as follows:—

General Principles of the Bill further to Amend the Tank Panchayet Regulation of 1911.

Further amendments to the Tank Panchayet Regulation of 1911 are necessary to make its provisions more effective for the purposes for which they are intended and also to put them in consonance with the Village Panchayet Regulation, II of 1926, and the Minor Tanks Restoration of 1923. The recommendations of the committee appointed to investigate and report on this and several other irrigation matters have been received. The accompanying Bill has been prepared to give effect to these recommendations. The salient feature of the Bill is the amended Section 15 (1) (*a*) which makes provision for the cultivation of a portion of the irrigable area under a tank with dry or semi-dry crops, in seasons when the supply in it is not sufficient. The other changes are merely verbal and are intended to bring the provisions of the Regulation into accord with those of the Village Panchayet Regulation and the Minor Tanks Restoration Regulation as stated above.

A Bill further to Amend the Tank Panchayet Regulation of 1911.

Whereas it is expedient further to amend the Tank Panchayet Regulation, 1911; it is hereby enacted as follows:—

Amendment of Section 15.

1. For Section 15 (1) (*a*) the following words shall be substituted "determine the portion of the wet lands in the irrigable area of such tank to be cultivated with wet crops, or with dry or semi-dry crops, and regulate the supply of water for irrigation accordingly."

Amendment of Section 16.

2. For Section 16, the following shall be substituted:—

(1) "When the restoration of a minor tank has been sanctioned under Regulation XV of 1923, a Tank Panchayet or a Village Panchayet empowered under Section 23 of Village Panchayet Regulation, 1926, may undertake the execution of the said restoration, under the rules framed by Government in this behalf."

(2) "A Tank Panchayet or a Village Panchayet empowered under Section 23 of the Village Panchayet Regulation, 1926, shall be bound to execute the work undertaken by it, under Sub-Section (1) within the time and

according to the specifications and constructive details as may be prescribed in this behalf."

Amendment of Section 18.

3. In Section 18 (1) the words "constituted under this Regulation or any Village Panchayet empowered under Section 23 of the Village Panchayet Regulation, 1926," shall be inserted between the words "Tank Panchayet" and "is not competent", and the words "the Tank Panchayet or withdraw the powers of the Village Panchayet, as the case may be" shall be substituted for the words "the Panchayet" at the end of the sub-section.

Amendment of Section 18.

The following shall be substituted for Section 18 (2) and (3):—

(2) "Where a Tank Panchayet is abolished or a Village Panchayet is divested of its powers as aforesaid the Deputy Commissioner shall take charge of the connected funds, if any, and shall enforce the customary obligations of the raiyats, in the same manner as if the Tank Panchayet had not been constituted or the Village Panchayet had not been so empowered and may utilise such funds for the purpose referred to in Section 10 in the same manner as the Panchayet may have utilised the same."

(3) "A Tank Panchayet abolished or a Village Panchayet divested of its powers under Sub-Section (2) may, after such time as the Government may think fit, be reconstituted or re-empowered as the case may be."

MR. K. CHENGALRAYA REDDY thought that no separate Tank Panchayet Regulation was necessary as the Irrigation Bill now under the consideration of the Select Committee be made fuller by including the provisions of this Regulation also. In that view, he did not think that the present amending Bill was called for.

THE FIRST MEMBER OF COUNCIL said that the Irrigaiton Bill referred mainly to big works and not to minor tank works and that if it was possible to link up all these Bills together, the matter might be considered in the Select Committee appointed for the consideration of the Irrigation Bill.

MR. CHENGALRAYA REDDY thought that the object of the Irrigation Bill was to provide for the regulation and maintenance of all tanks and the distribution of water therein. If the Tank Panchayet Regulation also could be incorporated in the Irrigation Bill, the tank works could

be systematised properly and there would be no need for separate Bills.

THE DEWAN remarked that there was no proposal before the House to incorporate the present Bill in the Irrigation Bill.

MR. D. S. MALLAPPA agreed in the main with Mr. Chengalraya Reddy's opinion.

MR. H. C. DASAPPA said that Section (1) showed that Government had at the back of their mind the introduction of the Block System of Irrigation under all the tanks for the purpose of raising crops by rotation. He thought that the object of the Bill was to circumvent the remission rules. His reason was: suppose the water in a tank was sufficient to irrigate only 100 acres out of an *atchkat* of 300 acres, then Government might say that only wet crops might be raised in those 100 acres. In that way it could not be said that no *tari* crop was grown for the whole year.

THE FIRST MEMBER OF COUNCIL said that when such a thing happened, there was power to give remission to the other lands. In that connection, he referred to Section 15 of the Tank Panchayet Regulation, wherein certain powers were given to the Panchayet under which the consent of two-thirds of the raiyats owning land was necessary to make such an arrangement. At present the Panchayets had got power to determine the portion which could be made irrigable for wet cultivation. The change now proposed was that they could say which portion should be cultivated with dry and semi-dry crops.

MR. H. C. DASAPPA explained that his doubts could not have arisen, if the old provision in the Regulation had also been printed in the agenda papers in juxtaposition to the proposed amendment. He, however, thought that the proposed provision would not be good for the raiyat.

MR. M. S. LINGE GOWDA supported the Bill wholeheartedly.

At this stage, the Assembly rose for lunch and met again at 3-30 P.M.

MR. S. C. MALLIAH agreed in the main with Mr. H. C. Dasappa. Although he agreed that in one way the proposed amendment would help the raiyats, yet he thought that as there would be no rains continuously, every raiyat had the expectation that there would be sufficient rains later on to help his crops and with that expectation he would like to have his entire land cultivated with wet crops. If now the Government should say that only a portion of that land

should be cultivated in any one year owing to the shortage of water in a tank at any period, it would certainly be a great hardship on the raiyats. He thought that in these circumstances the arrangement would not work in practice.

THE FIRST MEMBER OF COUNCIL said that the provision was already there, that water might be distributed according to the quantity available and that what was now proposed to be done was that power would be taken to determine exactly what portions should be cultivated with wet, dry and semi-dry crops.

MR. S. C. MALLIAH however did not agree to the imposition of the restriction and said that no raiyat would agree to it.

THE FIRST MEMBER OF COUNCIL explained that if there was not sufficient water in a tank and also if the people wanted to distribute that water according to the crop proposed to be raised, there was no power to do so. Hence, the present amendment only proposed that instead of giving water only for wet cultivation, it might be given as so much for wet, so much for dry and so much for semi-dry cultivation.

MR. S. C. MALLIAH feared that the proposed measure would interfere with the remission rules.

THE FIRST MEMBER OE COUNCIL said that it was not so and that there was provision for the grant of remission for the lands left uncultivated.

MR. MIR MAHOMED said that this provision would not work in the Malnad parts. He feared that conflict would crop up between the *atchkatdars* themselves. Every *atchkatdar* would anticipate that there would be sufficient water and very few would like to grow *kushki* crops where wet crops were raised before. He therefore did not think that there should be any restriction.

MR. G CHENNAPPA supported the Bill.

MR. N. G. SANJEEVIAH did not agree that the provision of the Tank Panchayet Regulation should be incorporated in the Irrigation Bill. He supported the arguments brought forward by Mr. S. C. Malliah and opposed the present amendment.

MR. KULLE GOWDA said that if there was no water in the months of August and September, it was possible that there would be rains later. Hence the distribution that would be proposed in those months would work as a great hardship on the raiyats, if there should be heavy rains in later months. He also thought that people who had taken

lands at very great expense should not be deprived of the right to cultivate them by measures of this kind.

MR. L. VEMA REDDY said that there were many practical difficulties in the working of the measure and he therefore opposed it.

MR. GURUSWAMI GOWDA supported the measure. He said that when the water in a tank was insufficient for the cultivation of the entire *atchkat*, it was more advantageous to divide it among the raiyats by agreement rather than spoil the entire crops.

MR. V. VENKATAPPA referring to the second amendment said that it was not of a verbal nature, but one which went much beyond the original section, for, according to the present section there need be no consent by two-thirds of the people.

THE DEWAN said that the Regulation of 1916 was amended by the Regulation of 1923. There was no change in the substance of the provision and the changes now proposed were merely of a verbal nature.

On this explanation, MR. V. VENKATAPPA supported the measure.

The amendments were thereupon put to vote and passed.

IV. Statement of the General Principles of a Bill further to Amend the Mysore Municipal Regulation, 1906.

With the growing popularity of allopathic treatment the number of shops where medicines are dispensed according to the British Pharmacopœia is on the increase. It is necessary therefore to guard against the danger to which the public would be exposed by medicines being dispensed and sold by unqualified persons. The Bill is designed to meet this need. It penalises the keeping of such a shop except under a license granted by the Municipal Council concerned, on application to be made within two months after this Bill is passed into law or after the shop is opened, as the case may be. It also penalises the dispensing and selling of drugs, except by duly certified persons, in any Municipality notified by the Government in this behalf after the expiration of six months from the publication of the notification. It will be observed that reasonable time is given to those engaged in this trade to fulfil their new obligations.

This statement of the general principles together with the Bill is placed before the Assembly for the expression of its views.

Bill further to Amend the Mysore Municipal Regulation.

Section 141 A. Registry of Shops for Sale of European Drugs.

(1) No shop or place shall be kept for the retail sale of drugs recognised by the British Pharmacopœia, not being also articles of ordinary domestic consumption, unless the same shall have been registered in the office of the Municipal Council. Any keeper of such shop or place failing to register the same within two months after this Regulation shall come into force, or within two months from the date of the establishment of such place, shall be liable to a fine not exceeding one hundred rupees. The Municipal Council, shall, upon payment of such fees as may be prescribed by Government from time to time, register such shop or place in a book kept for the purpose and grant the keeper of the shop or place, a license which shall be displayed in some conspicuous part of the premises registered.

Certified Dispensaries.

(2) No person shall compound, mix, prepare, dispense or sell any drug in any such registered shop or place unless he be duly certified as a fit person to be entrusted with such duties under rules made for that purpose by the Government.

Provided that the provisions of this sub-section shall not come into operation in any Municipality until after the expiration of a period of six months from the publication of a notification by the Government in the Official Gazette extending the same to such Municipality.

(3) Nothing in this section contained shall be construed to apply to the sale of drugs used by practitioners of indigenous medicines whether recognised by the British Pharmacopœia or not, when such drugs are not sold in a shop or place where medicines recognised by such pharmacopœia are dispensed upon prescription.

Section 141 B.

Whoever, within a Municipality, not being the holder of such certificate as is mentioned in Sub-Section (2) of Section 141 A. shall compound, mix, prepare or sell any drugs, shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 50 for each offence; and any owner, occupier or keeper of any such shop or place who shall employ any such uncertified person to perform any one or more of such duties, shall, on

conviction before a Magistrate, be liable to a fine not exceeding Rs. 200 and shall be further liable at the discretion of such Magistrate to forfeit his license.

Provided that this section shall not come into operation until after the expiration of a period of six months from the publication of a notification to that effect in the Official Gazette by the Government.

THE CHIEF SECRETARY TO GOVERNMENT explained the general principles of the Bill briefly as stated above.

MR. J. MAHOMED IMAM pointed out that by the inclusion of the words "sell any drug" in the penal clause, even ordinary patent medicines very well known to people, could not be sold. This restriction he said should be removed.

THE SECOND MEMBER OF COUNCIL replied that the provisions of the Bill would apply to the selling of medicines recognised by the British Pharmacopœia and not to others not so recognised. He added that it did not apply to patent medicines.

DHARMAPRAVARTHA M. L. NAGAPPA SETTY was in favour of the measure. He said that although license was necessary to keep a shop, yet, the approval of the department as to the fitness or otherwise of a person opening such shop was necessary and should be taken into consideration.

CAPT. Y. V. AYYA while welcoming the Bill said that the provision about employing certified compounder only even when a dispensary was kept by a properly qualified medical practitioner should be deleted. This he said was in accordance with the regulations approved by the Medical Council in England and also in British India.

THE SECOND MEMBER OF COUNCIL said that the provision was taken from a Bengal enactment and that it operated in Calcutta.

CAPT. Y. V. AYYA replied that when the British Medical Council themselves allowed the employment of unqualified but experienced compounders under a qualified medical practitioner and when the doctor himself was in charge of the dispensary, there was no particular necessity to insist upon the employment of only qualified compounders. He added that there was no institution in Mysore for training compounders.

THE DEWAN said that the question of exempting experienced compounders after testing their fitness was under consideration.

MR. B. GOPALACHAR said that under the Bill, the possession of license granted by the Municipal Council was

made obligatory, as also the possession of a certificate by a person for dispensing and the selling of drugs. He thought that license should be granted without the payment of fee by a person and that the possession of the certificate should be the main point for consideration.

THE SECOND MEMBER OF COUNCIL said that license was required to be obtained for opening a shop and that the license fee was not meant for making any profit. It was merely meant to have some control over the sale of drugs.

MR. B. GOPALACHAR thought that the Bill might be made applicable to the sale of Ayurvedic drugs also. Hs also pointed out that there was no necessity for a separate license fee as the person keeping the shop would be required to pay a fee for the sale of opium and such other poisonous articles.

The general principles of the Bill were thereupon put to vote and were accepted by the House.

V. General Principles of the Mysore Medical Practitioners Registration Bill.

Legislation providing for the registration of medical practitioners has been in force for some years past in several provinces of British India. The desirability of introducing similar legislation in the State has been pressed on the attention of Government on several occasions in recent years by means of resolutions proposed for discussion at the meetings of the Legislative Council and otherwise. The matter has also engaged the attention of the Standing Committee of the Representative Assembly and the Legislative Council for Local Self-Government.

After considering the several views placed before them as to the desirability of undertaking such legislation and as to its scope, Government have come to the conclusion that it is necessary and would, for the present, be sufficient to introduce a Bill on the lines of the Madras Medical Registration Act, No. IV of 1914. The proposed measure (like the Madras enactment) does not purport to prevent medical practice by unqualified persons, or to establish any control over practitioners of the Ayurvedic and Unani systems of medicine; the question of achieving these latter objects by legislation, which was at one time urged on the attention of Government, has been found to be beset with great difficulties.

The Bill aims at—

(1) the registration of all medical practitioners qualified in the allopathic system, whether holding Government appointments or not;

(2) the exercise of disciplinary control over them, if they fail to conform to professional standards of etiquette and procedure; and

(3) the standardisation of medical education.

The promotion of these objects is to be entrusted to a Medical Council, the members of which includes representatives of the Government, the Mysore University and of the other interests concerned, the Senior Surgeon being the President. The Council will be required to maintain an authoritative register which will enable the public in general, and the less informed portion thereof in particular, to find out who are properly qualified and who are not so qualified. The Bill confers, on registered medical practitioners, the exclusive privilege of holding certain appointments in public and aided medical institutions and of granting certificates required by law to be given by a medical practitioner.

The qualifications for registration will be specified in a schedule, which may be altered from time to time by Government.

The schedule will include the medical degrees and diplomas of the Mysore University and the Mysore Government as well as suitable degrees, diplomas or certificates granted by competent authority in any country or province where the Mysore degrees and diplomas are recognised for a similar purpose.

The exercise of disciplinary power by the Medical Council will be subject to necessary safeguards, including an appeal to Government against its decisions.

The Medical Council will have power to call upon the authorities of any medical college or school included, or proposed for inclusion in the schedule to furnish such information as may be required to satisfy the Council of the efficiency of the instruction given therein.

The general principles of the Bill are placed before the Representative Assembly for an expression of opinion.

THE CHIEF SECRETARY TO GOVERNMENT explained the general principles of the Bill briefly as stated above.

MR B. S. PUTTASWAMY enquired whether it was proposed to fix the qualification in the Bill itself or to entrust that work to the Medical Council.

THE CHIEF SECRETARY TO GOVERNMENT replied that

initial qualification would be fixed and mentioned in the Bill itself with a proviso that the Council might recommend other qualifications also, if necessary.

DHARMAPRAVARTHA M. L. NAGAPPA SETTY represented that the scale of fees to be charged by doctors might also be mentioned in the schedule specifying the qualifications for registration.

MR. B. GOPALACHAR said that the minimum qualification required for the registration of medical practitioners was not mentioned in the general principles of the Bill.

THE SECOND MEMBER OF COUNCIL said that it would be mentioned in the schedule.

MR. B. GOPALACHAR wanted to know what were the advantages accruing to the medical practitioner by such registration. His opinion was that while it would be good to register the name of every medical practitioner, there would be some hardship caused to him if he were to be controlled at every stage by the Medical Council. He did not think that such a control was absolutely necessary unless the Government were going to give him facilities, monetary or otherwise.

THE FIRST MEMBER OF COUNCIL replied that only qualified practitioners would be registered and that people would know exactly who were qualified practitioners and who were not. Further, the registered practitioners would have the benefit of obtaining Government appointments.

MR. B. GOPALACHAR thought that many practitioners would not get Government appointments and he therefore enquired whether they would derive any more advantages by registration.

THE CHIEF SECRETARY TO GOVERNMENT replied that no particular advantages beyond what were stated in the Bill would accrue to them.

CAPT. Y. V. AYYA thought that the object of the Bill would not be fulfilled unless it was stated who were not fit to practise medicine. His own opinion was that unqualified people should not be allowed by law to practise.

MR. G. K. MALLAPPA also was of opinion that some control should be exercised over Ayurvedic medical practitioners also, now that there was a Government Ayurvedic College at Mysore.

THE DEWAN said that at present the Government did not wish to go further than what British India had done, and that the present measure might be worked for sometime before proceeding further.

THE SECOND MEMBER OF COUNCIL said that under the

proposed enactment the public would know who were qualified doctors and who were quacks as the latter would not be able to get their names registered. This by itself, he said, would be an encouragement to the qualified people and a discouragement to the unqualified. People would be enabled to know who were qualified and who were not. At present, there is no means of knowing it.

CAPT. Y. V. AYYA, on the other hand, thought that as the proposed measure did not purport to prevent medical practice by unqualified persons, such persons would be enabled to practise hereafter also. He therefore wanted the insertion of a sentence to prevent unqualified people from practising medicine. His opinion was that, whoever followed the allopathic treatment without recognised qualification, should not be allowed to practise.

THE SECOND MEMBER OF COUNCIL enquired whether such a legislation was in vogue anywhere.

CAPT. Y. V. AYYA replied that that was no reason why Mysore should not adopt it.

MR. B. S. PUTTASWAMY thought it was not possible for the villagers to know who were qualified and who were not. Hence, it was necessary, he said, that unqualified persons should be prevented from practising medicine.

THE SENIOR SURGEON said that he had no praticular objection to accede to the request of Capt. Y. V. Ayya. The only difficulty was that in this respect the Government would be going much further than England and other countries where such a measure had been found to be unworkable in practice. He, however, added that unlicensed doctors would not be allowed to style themselves as licensed doctors. He also said that there were practical difficulties in bringing Ayurvedic doctors also under the purview of the proposed measure.

MR. M. S. LINGE GOWDA said that no restriction should be imposed on unqualified practitioners as people might sometimes go to a doctor in whom they had faith and who might know certain things very well and even better than qualified doctors.

MR. H. C. DASAPPA, who next spoke, said that although the reciprocity arrangements referred to in the principles of the Bill were very desirable, yet, he enquired whether a medical degree in the London University or any other special degree would be recognised.

THE SECOND MEMBER OF COUNCIL explained that ordinarily the principle of reciprocity would be insisted on

but there would be special cases which would require to be specially treated. The idea was to provide for certain special degrees, which might not be mentioned in the schedule, being recognised by Government. For instance, there might be a very eminent doctor coming from America or from England and possessing degrees which might not have been mentioned in the schedule and therefore the concerned clause in the proposed measure was intended to provide for such special degrees being recognised by Government.

MR. H. C. DASAPPA next pointed out that the constitution of the Medical Council was not clearly defined in the general principles of the Bill. He was of the opinion that it should be such as to admit of non-officials also being nominated by Government.

THE SECOND MEMBER OF COUNCIL in replying explained the constitution of the Medical Council. He said that it would consist of 10 persons as detailed below:—

Senior Surgeon to the Government—President.
2 persons elected by the registered graduate medical practitioners.
2 persons elected by the non-graduate registered medical practitioners, *i.e.*, by L.M.P.'s and such others.
1 elected by the Faculty of Medicine of the University.
4 nominated by the Government.

MR. H. C. DASAPPA enquired whether only those holding medical degrees would be nominated by Government.

THE SECOND MEMBER OF COUNCIL replied in the affirmative and added that this number might include both officials and non-officials.

MR. H. C. DASAPPA thought that the principle of nomination might be a little more liberalised by taking more non-officials.

MR. B. P. BASAPPA SETTY feared that medical practitioners would be appointed in Government service, only on the recommendations of the Medical Council.

THE CHIEF SECRETARY TO GOVERNMENT said that appointments would be given only to those included in the register and that the Medical Council had nothing to do with that.

MR. B. P. BASAPPA SETTY then requested that professional standards of etiquette might be more clearly defined.

THE SECOND MEMBER OF COUNCIL said that professional etiquette was well known and that it would be standardised with the rest of the world.

MR. B. P. BASAPPA SETTY enquired also whether non-professional men could be nominated to the Medical Council.

THE SECOND MEMBER OF COUNCIL replied that if properly qualified medical men in service were not available, non-officials could be nominated.

The general principles of the Bill thereupon were put to vote and agreed to by the House.

At this stage, the Assembly rose for the day to meet again on Monday at 12 NOON.